

REMARKS

The final Office Action of March 20, 2007 and the Advisory Action of August 28, 2007, have been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 11-17 and 21 have been amended. No new matter has been added. Claims 1-7, 11-17, and 21-27 remain pending upon entry of the present paper.

Applicant wishes to thank the Examiner for indicating the allowable subject matter with respect to claims 2, 12 and 22.

Oath/Declaration

The Office Action indicates that Applicant's declaration is defective. Applicant submitted, with Applicant's previously filed response dated August 20, 2007, an Application Data Sheet identifying the correct filing date of the provisional application from which the present application claims benefit. Thus, this objection is respectfully traversed.

Rejections Under 35 U.S.C. § 103

Claims 1, 4, 11, 14, 21 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,047,550 B1 to Yasukawa et al. (hereinafter referred to as "Yasukawa") in view of U.S. Patent No. 6,463,428 B1 to Lee et al. (hereinafter referred to as "Lee"). Applicant respectfully traverses this rejection for at least the following reasons.

Amended independent claim 1 recites, *inter alia*, "modifying a non-textual attribute associated with the object by an incremental amount for each of at least three times that the object is selected, wherein each modification of the attribute includes changing a visible characteristic of the object and wherein each modification results in a different appearance of the object." The Office Action, at page 3, concedes that Yasukawa does not explicitly disclose progressively modifying a non-textual attribute associated with the object. Lee fails to overcome these deficiencies of Yasukawa. Lee at col. 8, lines 4-56 and Fig. 4 describes searching a programming guide based on criteria represented as a group of strings (e.g. Genre string 155). The Advisory Action dated August 28, 2007, asserts that the search/browse tool of Lee

constitutes an “object” as recited in claim 1. In particular, The Advisory Action alleges that the use of up and down arrow keys to browse through a plurality of beads constitutes a selection of the browse/search tool. Applicant respectfully disagrees. Mere browsing of objects within a tool does not constitute selection of the tool. That is, a person is not selecting or choosing a tool simply by browsing through objects contained therein. At most, Lee discloses that browsing is available *after* a string has been selected. Col. 8, ll. 28-39; Col. 8, ll. 49-56. Nowhere does Lee teach or suggest that each use of the vertical cursor keys (i.e., for navigating of beads in a string) constitutes a selection of the string. Indeed, Lee discloses that “multiple strings may be open and the vertical and horizontal cursor keys 212 and 232 may be used to navigate among them *without* reselecting any string.” (Emphasis added). Col. 8, ll. 57-60. Thus, notwithstanding whether the combination of Yasukawa and Lee is proper, the combination fails to result in at least these features of claim 1. Claim 1 is therefore allowable for at least these reasons.

Amended independent claims 11 and 21 recite features similar to those described above with respect to claim 1. Thus, claims 11 and 21 are allowable for at least the same reasons discussed above with respect to claim 1.

Dependent claims 4, 14, and 24, which each depend from at least one of allowable independent claims 1, 11, and 21, are allowable for at least the same reasons as their respective base claims, and further in view of the additional advantageous features recited therein.

Claims 3, 13, and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa, Lee and in further view of U.S. Patent No. 5,793,438 to Bedard (hereinafter referred to as “Bedard”). Applicants respectfully traverse this rejection for at least the following reasons.

Notwithstanding whether any combination of Bedard, Yasukawa, and Lee is proper, Bedard fails to overcome the aforementioned deficiencies of Yasukawa and Lee with respect to claims 1, 11, and 21. Thus, claims 3, 13, and 23, which each depend from at least one of claims 1, 11 and 21, are allowable for at least the same reasons as their respective base claims, and further in view of the additional advantageous features recited therein.

Claims 5-7, 15-17, and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yasukawa, Lee and further in view of U.S. Patent No. 6,678,891 to Wilcox et al. (hereinafter referred to as “Wilcox”). Applicants respectfully traverse this rejection for at least the following reasons.

Notwithstanding whether any combination of Wilcox, Yasukawa, and Lee is proper, Wilcox fails to cure the aforementioned deficiencies of Yasukawa and Lee with respect to claims 1, 11, and 21. Thus, claims 5-7, 15-17, and 25-27, which each depend from at least one of claims 1, 11 and 21, are allowable for at least the same reasons as their respective base claims, and further in view of the additional advantageous features recited therein.

CONCLUSION

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below. Applicant looks forward to passage to issue of the present application at the earliest convenience of the Office.

Respectfully submitted,
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